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REMARKS

Claims 1, 4-22 and 25 are pending in the present application. Claims 1, 15 and 19 have been amended herein. No new matter has been added. Applicants respectfully request reconsideration of the claims in view of the following remarks.

The Examiner has rejected claims 1, 4-8, 13-14, 22, and 25 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,754,292 ("Pulley"). The Examiner has rejected claims 9-12 under 35 U.S.C. § 103(a) as being unpatentable over Pulley in view of U.S. Patent No. 5,818,869 ("Miya"). Furthermore, the Examiner has rejected claims 15-21 under 35 U.S.C. § 103(a) as being unpatentable over Pulley in view of Miya and further in view of U.S. Patent No. 5,870,594 ("Doi"). Applicants respectfully traverse these rejections in view of the amendments made to the claims.

Independent claims 1, 15, and 19 each recite that "the second sampling rate has a different power consumption level than the first sampling rate." The cited prior art references, taken alone or in combination, do not teach or suggest this claim limitation. For example, Pulley discloses a feedback loop that changes the sample rate within about a one or two sample period range, such as +/- 0.5 samples out of 2048 samples. See Pulley, col. 2:32-37, col. 4:1-4. Changing the sample rate by this amount will have a negligible effect on the power consumption level of the different sample rates. Likewise, neither Miya nor Doi disclose first and second sample rates that have different power consumption levels.

In contrast to the cited prior art, claims 1, 15, and 19 recite that the first and second sample rates have different power consumption levels. As taught in Applicants' specification, using sample rates that are sufficiently different so as to have different


power consumption levels provides power savings when the slower sampling rate is being used, while providing higher accuracy when the faster sampling rate is being used. See, e.g., Application, p. 4, lines 9-12, p. 24, lines 6-18. Accordingly, Applicants respectfully submit that independent claims 1, 15, and 19 are patentable over the cited prior art references.

Claims 4-14, 22 and 25 depend from claim 1, claims 16-18 depend from claim 15, and claims 20-21 depend from claim 19, and add further limitations to their respective independent claims. It is respectfully submitted that these dependent claims are allowable by reason of depending from allowable claims as well as for adding new limitations.

In view of the above, Applicants respectfully submit that this response complies with 37 C.F.R. § 1.116. Applicants further submit that the claims are in condition for allowance. No new matter has been added by this amendment. If the Examiner should have any questions, please contact Applicants' attorney, Steven A. Shaw, at 972-917-5137. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 20-0668.

Respectfully submitted,

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Date


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